

A report of the Governor's Smart Growth Task Force

November 2001

Governor Paul E. Patton
Commonwealth of Kentucky



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Introduction

“What a buzzel is amongst people about Kentucke?” inquired a minister in 1775. “To hear people speak of it one would think that it was a new found paradise.”

Lowell H. Harrison and James C. Klotter, *A New History of Kentucky*.

Kentucky is a special place, one that is enriched by the diversity of its people, cultures, traditions, and geography. And it is often said that Kentuckians have a strong *sense* of place – a feeling that represents the proud connections we have to our home communities and state.

It is the unique nature of our state and our relationship with it that prompted the creation and work of the Governor’s

Smart Growth Task Force. Its assignment: to look at how and where Kentucky is growing and what practices and policies could make that process most beneficial for all citizens.

“How we deal with this issue will determine the Kentucky that we leave for our grandchildren,” Governor Paul Patton said in establishing the task force in May of 2001.



Growth & Development = Prosperity & Questions

The positive reality is that Kentucky is growing, and that enhances the economic viability of our citizens, communities, and state. The development has accelerated in recent years. In fact, between 1982 and 1997, Kentucky's growth in developed acres outpaced the national average by 27 percent, making it the second highest rate of growth in the nation.

But even while we recognize the positive impact of this growth, more and more Kentuckians are questioning whether the development is occurring in a way that also is protecting or preserving the state that we love.

In too many situations, growth has led to poorly planned incursions into rural or agricultural areas that prompt the construction of new buildings when historic structures are standing vacant in our declining downtowns. A pattern of growth described as sprawl is becoming more common in more of our communities, requiring more of us to drive longer distances for work or personal reasons. The pattern can be found in both small and large communities, as evidenced by the development of strip centers and so-called big box retailers on the fringes of suburban centers. And this type of growth often means greater costs for communities.



The Louisville and Jefferson County Metropolitan Sewer District "has spent more than \$500,000,000 in the past ten years addressing infrastructure deficiencies related to poor or misaligned planning and zoning policies."

*Gordon Garner
Executive Director
Metropolitan Sewer District
Louisville*



Kentucky lost more than 282,000 acres of prime farmland between 1982 and 1997.



WHAT IS SMART GROWTH?

Many states and organizations are working to define Smart Growth in terms that reflect what is important to them. The National Governors' Association has identified the following ten principles as representing Smart Growth.

- *Mixes land use*
- *Takes advantage of existing community assets*
- *Creates a range of housing opportunities and choices*
- *Fosters "walkable," close-knit neighborhoods*
- *Promotes distinctive, attractive communities with a strong sense of place, including the rehabilitation and use of historic buildings*
- *Preserves open space, farmland, natural beauty, and critical environmental areas*
- *Strengthens and encourages growth in existing communities*
- *Provides a variety of transportation choices*
- *Makes development decisions predictable, fair, and cost effective*
- *Encourages citizen and stakeholder participation in development decisions*

A recent study by the University of Kentucky provides an example of such costs. The study focused on population growth in several counties, including Pulaski and Warren, and the resulting increases in the cost of public services.

Between 1990 and 2000, the population of Pulaski County increased by 13.6 percent while Warren County's grew by 19 percent. More significant is the fact that the growth in Pulaski County occurred primarily in unincorporated areas outside of Somerset, its major city, while Warren County experienced the heaviest growth inside Bowling Green.

The study found that the per capita costs of providing public services such as schools and police and fire protection increased more in Pulaski County than they did in Warren County. That finding leads to the conclusion that growth that occurs in an area with existing infrastructure costs taxpayers less than growth that occurs outside that area.

"Of concern is not population growth per se, but where that growth occurs and how different patterns of growth are associated with rising costs of government services," the study noted.

- **Is this the way we want Kentucky to grow?**
- **What choices do we have that will enable us to encourage economic development while preserving and protecting our rural and urban landscape and other special Kentucky places?**

The Governor's Smart Growth Task Force, in a process that involved hundreds of hours and thousands of Kentuckians, focused its work on those two questions. Its original 35 members were joined by several hundred other Kentuckians who served on five work groups to explore growth issues surrounding Agriculture, Wildlife and the Environment; Planning; Transportation and Corridor Management; Community Development and Design; and Economic Development.

Public forums were held in each of the state's fifteen Area Development Districts, where Kentuckians shared their views about growth, development, personal property



rights, and the public good. Approximately 1,000 Kentuckians participated in these meetings. Another 1,260 were surveyed by the University of Kentucky Survey Research Center about their priorities for the state's future development. And others accessed information about the initiative on a task force web site.

Research generated information about efforts in other states to address growth-related issues, efforts that offer lessons to inform Kentucky's thinking about the path it will choose to follow.



WHAT IS SPRAWL?

There is no universally accepted definition of sprawl. In Vermont, for example, sprawl is defined as "dispersed development outside of compact urban and village centers along highways and in rural countryside."

Urban policy analyst Anthony Downs has identified ten traits associated with sprawl:

- *Unlimited outward extension*
- *Low-density residential and commercial settlements*
- *Leapfrog development*
- *Fragmentation of powers over land use among many small localities*
- *Dominance of transportation by private automotive vehicles*
- *No centralized planning or control of land uses*
- *Widespread strip commercial development*
- *Great fiscal disparities among localities*
- *Segregation of types of land uses in different zones*
- *Reliance mainly on the trickle-down or filtering process to provide housing to low-income households*

Smart Growth America, a nationwide coalition, defines Smart Growth as growth that helps achieve six goals:

- 1. Neighborhood livability*
- 2. Better access, less traffic*
- 3. Thriving cities, suburbs, and towns*
- 4. Shared benefits*
- 5. Lower costs, lower taxes*
- 6. Keeping open space open*



A goal of Kentucky's Strategic Plan for Economic Development encourages the promotion and development of the state's cultural and historic assets as economic tools. The state has a rich culture and history that help define our identity and quality of life. The preservation and development of these assets are vital components of business recruitment, industrial development, and community enhancement. Experience has shown that cultural and historic development promotes and maintains downtown and residential districts, helping stabilize and invigorate local business conditions.



The work has culminated in the preparation of this report that provides an overview of the issues and details a series of options designed to establish a pattern of Smart Growth for Kentucky and its citizens.

This should be considered the first step in a process that, if done correctly, will require time, energy, and a commitment to openness to move ahead. There are many conversations still to be held, many details to be considered, many decisions to be made, as Kentuckians determine how they want their state to grow.



To succeed now and in the future, this must be.....

Kentucky's Strategy

Although several states have enacted laws targeting various growth-related issues, few have taken a comprehensive look at the topic. That puts Kentucky, again, in a special category. We can, and should, learn lessons from other states. But it is imperative that the plan developed here be Kentucky's plan.

As the Task Force worked throughout the summer, it gathered a number of facts and reached several conclusions about the guiding principles for Smart Growth in the Commonwealth. These conclusions are represented in the following statements, and they are reflected throughout the report as it addresses issues related to preservation and conservation; renewal and re-use; and planning for the future.

In Kentucky . . .

- Smart Growth should emphasize incentives, not mandates.
- Property rights must be respected.
- Smart Growth principles recognize that quality of place is directly related to quality of life.
- Smart Growth is an economic development strategy. There are economic advantages to protecting and enhancing quality of life for all our citizens.
- Transportation, utilities, schools, public services, and land use must be considered together as development decisions are made.
- Smart Growth recognizes local control of the decision-making process.
- Smart Growth is pro-growth and recognizes the value and desirability of planned and coordinated growth. A no-growth approach represents a threat to our future economic prosperity.
- Kentucky has valuable resources and assets – agricultural, historic, natural, and cultural – that need protection.
- Smart Growth will benefit all Kentuckians and every community.
- Smart Growth increases the number of choices we have when making decisions related to growth and development.
- State government's role is to provide support, coordination, and a framework that communities may follow in Smart Growth planning.
- Smart Growth reduces the per-capita costs of providing public services to a growing population.
- Smart Growth will require a sustained commitment for success.

Objectives

The Task Force established five objectives to provide a framework for the continuing conversation about Smart Growth in Kentucky:

- We must encourage planned and coordinated growth in Kentucky's communities.
- We must plan for Kentucky's future.
- We must promote thriving downtowns and neighborhoods.
- We must preserve what is uniquely Kentucky.
- We must invite citizen and stakeholder participation.

To move the state toward the realization of those objectives, the Task Force crafted a series of options for Kentucky to consider. These options include measures that can be accomplished quickly through policy changes, some that would require legislative action, and others that would establish long-term, ongoing initiatives.

Encourage planning and coordinated growth in Kentucky's communities.

As Kentucky grows, the quality of our communities becomes even more important. The state's population is projected to continue increasing in the coming decades. And with advances in technology, companies whose products are more the result of intellectual engagement than physical exertion can literally locate anywhere. That means their location decisions largely will be based on quality of life considerations. In addition to enhancing the livability of communities for all Kentuckians, Smart Growth practices encourage economic development in today's economy.

Goal: Encourage the development of transportation and land-use plans in a coordinated manner

Accessibility and mobility are key features of modern transportation systems – elements that need not contradict the principles of Smart Growth. But there are barriers that impede efforts to improve coordination between transportation developments and Smart Growth initiatives: fragmented planning, a lack of information available to both professionals and members of the public, and short-term problem solving at the expense of long-term planning. Diminishing such barriers and enhancing the flexibility of transportation funding should be included as Smart Growth priorities.

Options for Kentucky:

- Work to coordinate comprehensive planning with infrastructure development to promote Smart Growth.
- Allow local governments to create alternative funding sources for transportation and land use planning and implementation to support a comprehensive plan designed with Smart Growth principles.
- Increase funding for multimodal (rail, bus, bicycle, pedestrian, air, etc.) transportation planning and implementation.
- Implement transportation activities that support Smart Growth using the state road fund and federal transportation funding. Examples of these activities include:
 - Local and regional land use planning
 - Planning of multimodal transportation projects
 - Corridor management plans
 - Access management plans
 - Context sensitive design for highway and transit facilities
 - Neighborhood development plans



The Minnesota Department of Transportation has developed Interregional Corridors – A Guide for Plan Development and Management to provide direction on how corridor planning can be done more consistently and comprehensively. A key strategy will be the completion of corridor management plans for all of the state's inter-regional corridors. Among other things, the plans will identify major local land use, zoning, and transportation issues; define the frequency and type of access to the corridors; and encourage orderly development by requiring accountability from developers for the impact of developments on land use, transportation, and the environment.



In 1997, the Maryland legislature directed the state Department of Planning to survey local governments and state agencies to determine infrastructure needs and related costs. The survey found that few jurisdictions have comprehensively assessed what infrastructure is needed to meet existing and projected demands. The legislature uses the survey to help direct resources where they are most needed.

Goal: Encourage the coordination of utility, energy, telecommunications, and solid waste infrastructure planning

Community infrastructure is a critical element of local planning. This is particularly true of water and sewer service, which often has a direct impact on growth patterns. Frequently in rural Kentucky, such facilities have been developed by special districts that operate independently of other government agencies, pointing up the need for improved regional planning.



Options for Kentucky:

- Enhance efforts to prepare a statewide inventory of existing infrastructure to determine current and future needs. Review the inventory periodically to evaluate supply and demand.
- Develop a process to coordinate state-supported and permitted public facility projects with local comprehensive plans.
- Provide special funding consideration for infrastructure improvements that follow Smart Growth principles and are made by communities with comprehensive plans. Current state infrastructure funding programs should be increased by 10 percent to provide this financing.

Goal: Encourage the creation of housing to support economic development and promote traditional neighborhood designs in new construction

There is a growing need in Kentucky for affordable housing for all income levels to address the needs of our communities' increasingly diverse populations. Although recent gains in home ownership rates should be celebrated, the dream of owning a home or simply finding decent, affordable housing remains a struggle for thousands of Kentucky families.

Options for Kentucky:

- Encourage the use of the Housing Needs Assessment being updated by the University of Louisville as a resource for communities in their planning efforts.
- Encourage traditional neighborhood developments.
- Encourage construction of affordable housing units within communities by streamlining the review process where possible, and, through incentives, encourage mixed use housing units within the same area.
- Encourage the development of new housing and residential districts that will accommodate the needs of older Americans and will allow for "aging in place" within the same community.



Kentucky is growing and growing older. The state's population of 4 million, according to the U.S. Census, is projected to increase to 4.3 million by 2020. About 12.5 percent of our population currently is 65 or older; projections put that percentage at 16.7 by 2020.



The Greenfield initiative in Jefferson County is bringing jobs and affordable housing together in a way that is attracting national attention. Here's what County News, a publication of the National Association of Counties, had to say:

"The Riverport Industrial Park of Louisville . . . has been experiencing an incredible boom in economic growth since the early 90s. To better match the availability of affordable housing to this high growth area, the county began a five-year initiative to develop housing units, Greenfield Subdivision, near the Riverport area. County officials recognized that bringing affordable housing to the area would make Riverport a viable neighborhood within Jefferson County."



Plan for Kentucky's future.

The importance of planning cannot be overstated. Equally important is the fact that planning decisions should be made locally. And as local officials make these important decisions, the tools and knowledge they need should be readily available to them.



In Kentucky today, there is a lack of comprehensive, coordinated statewide planning efforts. An existing statute, KRS.100, is generally considered a good example of planning legislation, but it is not fully utilized across the state. Regional planning councils technically exist, but they suffer from a lack of funding and in many areas are inactive.

Kentucky has approximately 125 planning units in place - some in cities, some in counties, and some involving both jurisdictions - but only 26 counties have comprehensive, countywide planning and zoning. The state also has 25 distinct types of districts that operate, in addition to water and sewer, other facilities and

services that range from schools to airports to hospitals, libraries, and fire departments. These districts have a potential impact on local planning efforts, pointing up the importance of coordination.

Choosing Smart Growth will mean encouraging the development of tools and principles that local planners can use as they work to foster coordinated, sustainable community development and design.

It also will be important to think, and act, regionally as much as possible. The interaction of land use and infrastructure, such as transportation and water lines, can have an impact that extends well beyond their specific geophysical boundaries. Air quality, water quality, and wildlife habitat throughout a region can be affected by local decisions on how to use land and how to provide transportation access to development. Regional planning resources can complement and serve as a bridge between state and local resources while the final decision-making is reserved for local governments.



Goal: Encourage the development of local planning efforts and encourage coordination with regional efforts

Smart Growth principles can be applied at the local level through technical assistance and state financial incentives. It is important for local governments to have access to professionally trained planners to help them make planning decisions. There also is a need for expanded flexibility in local decision making on planning issues.

In addition, joint city/county planning is the preferred approach. This is based on the consideration that, although independent city planning can be effective in the local context, it is difficult to guide appropriate development into adjacent, unregulated areas. Particularly for areas facing large-scale or leapfrog development, independent planning units are not likely to provide the most effective approach.



Options for Kentucky:

- Every county should establish countywide planning commissions to develop 25-year comprehensive plans, updated at least every five years, that incorporate all existing planning efforts addressing the areas of housing, transportation, water and sewer, economic development, human services, governance, agriculture, downtown redevelopment, schools, the environment, natural resources, land use, and preservation.

Code Assistance services help Oregon communities modify their development ordinances, comprehensive plans, and development review procedures to allow and encourage smart development. The services are provided on a consultant basis by the state's Transportation and Growth Management program.



Six Minnesota neighborhoods have been designated as "opportunity sites" to receive intense planning and design assistance to become models of livable, walkable communities. With funds provided by a foundation, the Twin Cities neighborhoods will be transformed into mixed-use, transportation-oriented communities. Two of the sites are greenfields, three are older established suburbs, and one is located in the urban core.



Renaissance Kentucky is helping revitalize downtowns across the state through an alliance of partners, program coordination, and financial incentives. Created in 1996 by Governor Paul Patton, Renaissance Kentucky supports communities through three levels of a revitalization process, offering technical assistance and training as well as financial incentives for a period of five years. Local officials cite the program's adaptability to local needs as a key to its success. The program requires coordination between local and state government, between local government and the private sector, and among members of the alliance at the state level to coordinate resources and funds to target downtown revitalization efforts. Dozens of Kentucky cities are now Renaissance communities, using the expertise and financial support from state funds and federal transportation funds to improve the appearance and livability of their downtowns.

- Provide financial assistance to local governments and their planning units for efforts that include comprehensive planning, training, and access to planning professionals. Use Renaissance Kentucky as an incentive-based model to reward the use of Smart Growth principles. Coal severance dollars should be used as part of an incentive-based program.
- Amend state law to allow planning units in addition to those in urban-county governments to exercise conditional zoning. Under conditional zoning, a planning unit may stipulate that certain requirements, such as use of land or density specifications, be met before a zoning change is approved.
- Define “agricultural use” and “subdivision” to ensure statewide uniformity in their application.
- Create city-county master plans that are linked to capital improvements for transportation, public facilities, and other infrastructure.
- Encourage the federal government to release Kentucky's share of Abandoned Mine Land funds to provide additional resources for incentive programs.



Goal: Strengthen regional planning coordination and communication to support Smart Growth policies

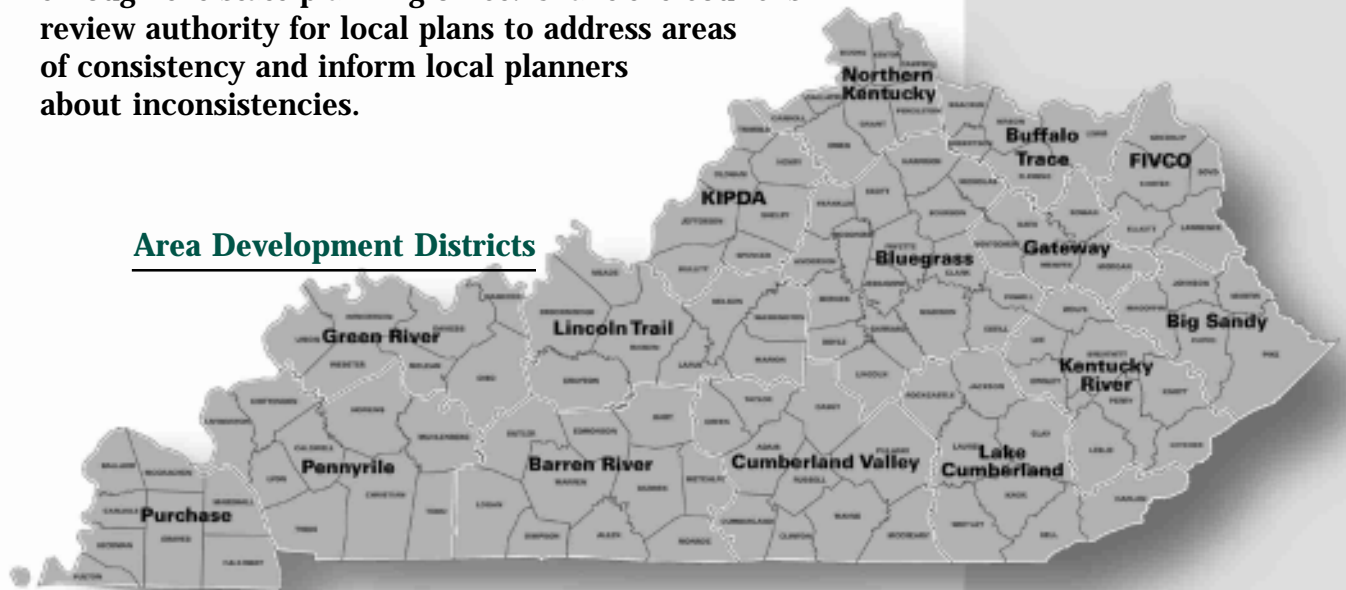
Communities working in consultation with one another can enhance their prospects of making local decisions that facilitate both local and regional progress on Smart Growth efforts. Although decisions would be made locally, there is a significant role to be played by regional planning entities to increase the likelihood of a better coordinated economic growth strategy while enhancing our regions' natural resources.

Options for Kentucky:

- Provide funding for regional planning councils and strengthen legislation by providing greater representation and better planning coordination among counties within a region, across boundaries with contiguous states, and through the state planning office. Grant the councils review authority for local plans to address areas of consistency and inform local planners about inconsistencies.

Transportation corridors in Kentucky's Bluegrass region provide an example of successful regional planning. Citizens, the state Transportation Cabinet, the Bluegrass Area Development District, and local governments have worked together to create plans to guide development along such scenic highways as the Old Frankfort Pike and the Paris-Lexington Road. Both of those projects have received national recognition as good examples of roadway corridors that contribute to and enhance the character and image of the community.

Area Development Districts



- The 25-year plans of countywide planning commissions should be in compliance with regional plans and meet state standards, as interpreted by the appropriate regional planning groups.
- Encourage the use of inter-local agreements to achieve planned and coordinated development.

In Maryland, the Governor's Office of Smart Growth serves as a one-stop shop for the initiative, promoting interagency cooperation, serving as an information clearinghouse, providing targeted advisory and technical assistance, and performing other functions to assist local governments.

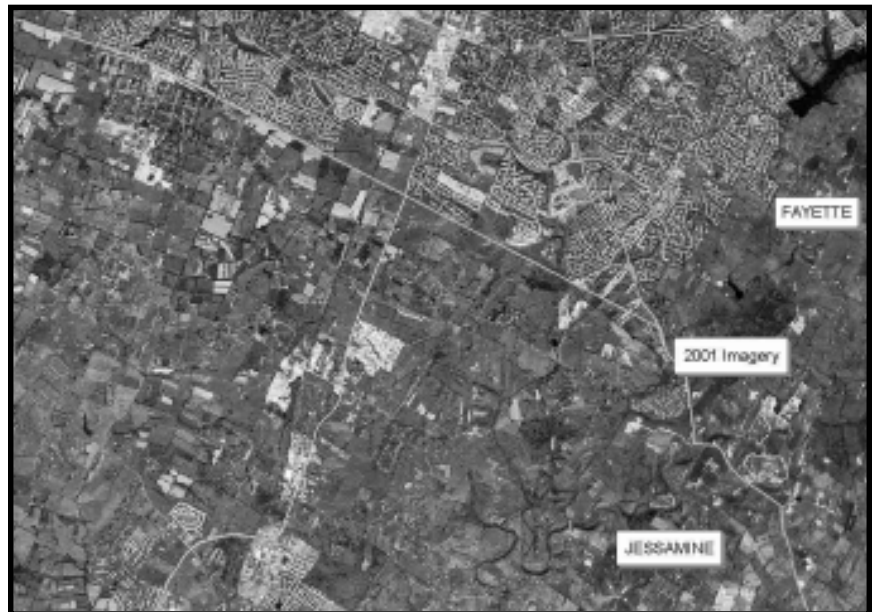
In Kentucky, a statewide planning framework would be the state tier of a local-regional-state coordinated planning effort. The framework would serve as a guiding vision for the state, addressing areas such as anticipated growth and development, economic changes, state transportation plans, demographics, and major infrastructure goals. It would establish goals and minimum expectations for public participation, sustainability, equity, environmental stewardship, economic development, transportation, capital improvements, and financial incentives. With such goals, the state could coordinate its infrastructure investments in a way that would influence land use in the direction that supported Smart Growth principles.

A Kentucky State Planning Office was established in 1976 to provide staff for the state planning committee and to develop policies and procedures for the use of research and planning consultants. The statute creating the office was amended in 1978, 1980, and 1982 before being repealed in 1984.

- Encourage full compliance with existing state law that establishes regional planning councils in area development districts and gives them advisory review authority over the comprehensive plans developed by planning units within the districts.

Goal: Position state government to lead by example through its provision of Smart Growth coordination, communication, technical assistance, and training services within state government and for regional entities and local governments

Planning efforts that involve state agencies frequently lack coordination, and sometimes programs are in conflict as agencies pursue their individual goals and purposes. State government can establish a model for coordinated planning for local governments while facilitating stronger planning on the regional level.



Options for Kentucky:

- Re-establish the State Planning Office with staff and funding to coordinate state agency programs, communication, technical assistance, funding, and Smart Growth training. The office would:

- Encourage state funding entities to review grant programs and policies to ensure support for Smart Growth principles.
 - Conduct an ongoing study of innovative Smart Growth programs.
 - Develop model local ordinances and design guidelines with broad options to support community development efforts.
 - Coordinate and provide Smart Growth training and continuing education opportunities.
 - Provide funding and technical assistance on comprehensive plan development.
 - Inventory existing planning units and document whether they are active or inactive.
- Establish a long-range, coordinated, statewide Smart Growth planning framework.
 - Expand and coordinate geographic information system, or GIS, capabilities in state government and use the technology to assist counties in managing their capital assets and as they plan for future growth.

Promote thriving downtowns and neighborhoods.

Downtown is the center of a community, serving as a source of pride and identity unique to a particular area while neighborhoods represent the meaning of community on a very personal level. Together, they constitute the heart of urban and small town life in America today.

Much of Kentucky's history has been played out in its towns and cities. Initially serving as the support center for agrarian institutions such as farm markets, the commonwealth's communities grew to become centers of the arts, commerce, politics, transportation, and news dissemination. Through it all, as Kentucky historian laureate Thomas D. Clark has observed, they have been places "effecting a bonding of human sentimentalities and progress."

Protecting our investment in the infrastructure of our communities and ensuring the continued vitality of the places where Kentuckians come together to live and work must be a high priority for any Smart Growth initiative.



Danville is the first Kentucky winner of the prestigious Great American Main Street Award from the National Trust for Historic Preservation. The local Main Street Program, administered by the Heart of Danville, has implemented the Renaissance Kentucky facade grant program for two years. In that time, 12 downtown properties have received grants totaling more than \$266,000, funds that are matched by property owners. Statewide, more than \$1.7 million in facade grants has leveraged more than \$20 million in building rehabilitation.

Nationally recognized as one of the most progressive models in downtown legislation, the Vermont Downtown Community Development Act includes a series of measures designed to encourage public and private investment in downtown areas. In enacting the law, the Vermont legislature said it hoped to preserve downtown areas and minimize unplanned development on quality farmland or important natural and cultural landscapes.

Goal: Create economically vibrant downtowns and thriving neighborhoods

Eliminating barriers to residential and commercial redevelopment and providing support for those efforts could expand the opportunities available to Kentuckians to revitalize their home communities.

Options for Kentucky:

- Increase funding for Kentucky Main Street and the Renaissance Kentucky partnerships.
- Adopt Smart Codes for building rehabilitation to foster reinvestment in existing residential, commercial, and industrial buildings.
- Create a state tax credit for residential and commercial property owners who rehabilitate older or historic downtown buildings for upper-story residential use and first floor commercial development.
- Create a state tax credit for developers who build architecturally compatible and affordable in-fill in established neighborhoods, and review existing state programs to determine whether they adequately promote in-fill development.



Goal: Encourage the retention and expansion of community anchors in downtown districts – government offices, post offices, courthouses, and libraries – and in neighborhoods – schools, parks, community centers, and businesses

It is important that we focus our efforts on protecting the infrastructure of our communities and the public and private investments made by previous generations. Sustaining the commitment they made by supporting the



presence of institutions in our downtowns and neighborhoods will serve as a catalyst for private investment in those areas. For instance, requiring state offices to locate in a downtown area can influence the decisions of other anchor institutions. By working in collaboration with residents, the special qualities for each neighborhood and downtown can be maintained while value is added for future growth and development.

Options for Kentucky:

- Establish siting criteria and design guidelines for state offices that support downtown locations; require a public forum on location decisions.
- Encourage the Administrative Office of the Courts to use Smart Growth principles, coordinate with local governments, and include citizen input on the design and location of court facilities.
- Amend state law to eliminate the exemption allowed public facilities from compliance with local planning and zoning requirements.

New Jersey's rehabilitation codes – known as Smart Codes – encourage reinvestment in older buildings, spelling out requirements for existing buildings and making a distinction between those and requirements for new construction. Requirements gradually increase as a rehabilitation project expands, enabling small projects to proceed that otherwise would have been delayed or abandoned due to the costs associated with a full set of construction codes.

●
The Kentucky Heritage Council, working with the National Trust for Historic Preservation, tracks statistics to document the effect of public and private investments in downtown areas. In Kentucky last year, these investments resulted in:

- 653 net new jobs
- 97 new businesses
- public improvement projects worth \$27 million
- private rehabilitation projects worth more than \$25 million
- new construction projects worth more than \$38 million

The Texas Historic Courthouse Preservation Program provides partial matching funds to restore the state's county courthouses to their original splendor and make them safe and functional.



New Hampshire's state agencies are directed by gubernatorial order to recognize the importance of preserving the state's traditional communities and landscapes and to evaluate their actions with an eye toward furthering that goal.



- Encourage the Kentucky Board of Education to support the concept of Smart Growth for school facility planning, including the renovation and re-use of existing school buildings. To accomplish this, the board could:
 - Adopt revised policies and regulations that encourage restoration and rehabilitation of community schools over new construction of school buildings.
 - Encourage renovation projects with a sustained, substantial, and dedicated funding commitment through an “Aging Schools Construction Fund.”
 - Amend state law to allow local governments and school boards to sell surplus property for a nominal fee if the property is to be used for public purposes.
 - Expand local school planning committees to include a representative from the local government office that is responsible for planning and development.
 - Explore the possibility of obtaining supplemental funding for historic schools to assist with adaptive re-use projects such as senior housing and community centers. Funding from the Main Street and Renaissance Kentucky programs could be used in those locations.
- Convene a symposium on Smart Growth best practices for public facilities, including schools, and recommend the adoption of those best practices.

Goal: Establish policies and funding to support the redevelopment of brownfield sites.

Brownfields – sites that contain or are suspected of containing, pollutants – offer significant development opportunities for many communities. However, the possible presence of environmental hazards has discouraged local officials and private developers from pursuing the redevelopment of these sites. The 2001 General Assembly enacted legislation to address brownfield redevelopment. The following options are designed to strengthen the implementation of that legislation.

Options for Kentucky:

- Establish a working group of agency representatives and interested parties to aid in the exchange of information, to coordinate efforts to redevelop brownfields, and to evaluate the risk management and financial tools available for such work.
- Require state agencies to review their funding policies to support programs that allow and promote the use of such funds on brownfield sites that have been rehabilitated to state guidelines and to provide funding to local governments to inventory brownfield sites.
- Establish a group to explore the creation of a brownfields insurance pool.



Massachusetts' administrative and statutory policies on brownfields include those that facilitate interagency cooperation, streamlining regulations, and state-level coordination of brownfield activities. The Brownfield Redevelopment Access to Capital program is designed to support private financing for the remediation and redevelopment of contaminated property.

●
Kentucky's 2001 brownfield legislation requires the Cabinet for Natural Resources and Environmental Protection to adopt standards within a year that will guide the cleanup of brownfields. Property owners who comply with those rules will be protected from future environmental lawsuits.

●
The New Jersey Environmental Risk Management Fund has been established by 199 small cities to pool funds and buying power to address: environmental assessments on potentially foreclosed properties; a city's purchase of properties for specific projects; municipal properties with known contamination from past municipal use; and closed municipal landfills. Protections include liability coverage, cost-cap protection, and municipally guaranteed indemnification for future owners following remediation.

Kentucky ranks fourth in the nation in the number of listings in the National Register of Historic Places. This statistic represents the great number and variety of historic properties in every county of the Commonwealth and includes key historic buildings, downtown commercial districts, residential neighborhoods, courthouses, schools, churches, farms and rural landscapes, archeological sites, bridges, and many other types of features and structures.

●
According to a national survey by the U.S. Census Bureau, anglers, hunters, and wildlife watchers spend more than \$1.5 billion a year on those activities in Kentucky. That represents an economic impact of \$3.1 billion and 44,000 jobs.

- Ensure that clean-up standards now being developed are reasonable, based on current science and technology, and reflect standards developed by other states to avoid putting Kentucky at a competitive disadvantage.
- Amend state law to enable all Kentucky cities and counties to levy a tax on abandoned, blighted, or contaminated properties to encourage their restoration or to recover public funds spent on them.

We must preserve what is uniquely Kentucky.

The earliest visitors to the land that became Kentucky were moved to remark on its natural beauty – an aesthetic appeal that reflected an abundance and variety of wildlife and plant life. The state’s uniquely configured landscapes also contributed to its pleasing countenance. Among the most varied in the eastern United States, landscapes here range from gentle lowlands to mountain peaks to flat plains, interspersed with knobs and caves.

Kentucky retains its beauty today. The natural resources documented centuries ago still contribute to quality of life. Kentucky also has a unique architectural heritage and rich history that make our state a desirable place to live, work, and visit. And it should be noted that these are not only environmental and preservation issues. They also are economic issues.



To make sure that our generation and those that follow continue to enjoy and benefit from these uniquely Kentucky qualities, we must give our attention to preserving, enhancing, and linking open space, green space, wildlife habitats, and other ecologically important lands. We must work to enhance environmental quality – reducing air and water pollution and providing adequate solid waste management – and to maintain our scenic landscapes and recreational amenities. We must manage and protect watersheds and wetlands. And we must consider the sustainability of the actions we take that affect environmental and ecological conditions.

Historic preservation is a crucial component in the protection of Kentucky's environment and in creating a

A 1997 study by nationally known consultant Donovan Rypkema concluded that each \$1 million spent rehabilitating Kentucky's historic buildings means:

- 19.8 new construction jobs
- 24.3 jobs elsewhere in the economy
- \$820,000 in household earnings
- 3.6 more jobs than those created by \$1 million spent on new construction



sustainable, prosperous economy. Historic preservation maintains the best of our built environment and represents responsible stewardship by re-using existing assets instead of abandoning them. The more effectively historic structures are re-used, the less Kentucky's natural environment will be consumed by uncontrolled development. Finally, the expensive and environmentally degrading landfills necessary for the disposal of construction wastes from demolished buildings become unnecessary when buildings are re-used.



Florida's land and water conservation program receives \$300 million a year through bond sales to acquire, protect, and restore open space, greenways, and urban recreational land. The Florida Forever program began in 1999.



Maryland's GreenPrint program uses a corridor approach to land conservation, identifying and protecting important natural lands through acquisition and easements. Green Hubs, large contiguous parcels of diverse habitat, will be joined by Green Links to provide natural routes for the passage of animals, to facilitate seed and pollen transport, and to keep streams and wetlands healthy



Vermont has a comprehensive inventory that is incorporated into its geographic information system, or GIS. The inventory includes extensive data on such features as town, county and regional boundaries; forests; public lands; flood plains; lakes; soils; deer wintering areas; rare, threatened, and endangered species; wetlands; hazardous waste facilities; bridges; roads; railroads; transmission lines; telecommunications towers; population; pollution sources; and many others.

Goal: Establish Smart Growth policies and funding to protect our natural environment, wildlife resources, agricultural heritage, and rural qualities

Identification, protection, and stewardship of agricultural and natural lands are integral parts of any Smart Growth initiative. Tourism, jobs, and the basic state economy are closely tied to the way we manage land use and the impact that management has on the maintenance of air and water quality. Enhancing the viability of our farms and forests affects the quality of life for all Kentuckians. Our emphasis must be on protecting family farms, biodiversity, and making the best use of our natural resources in the face of development pressures.

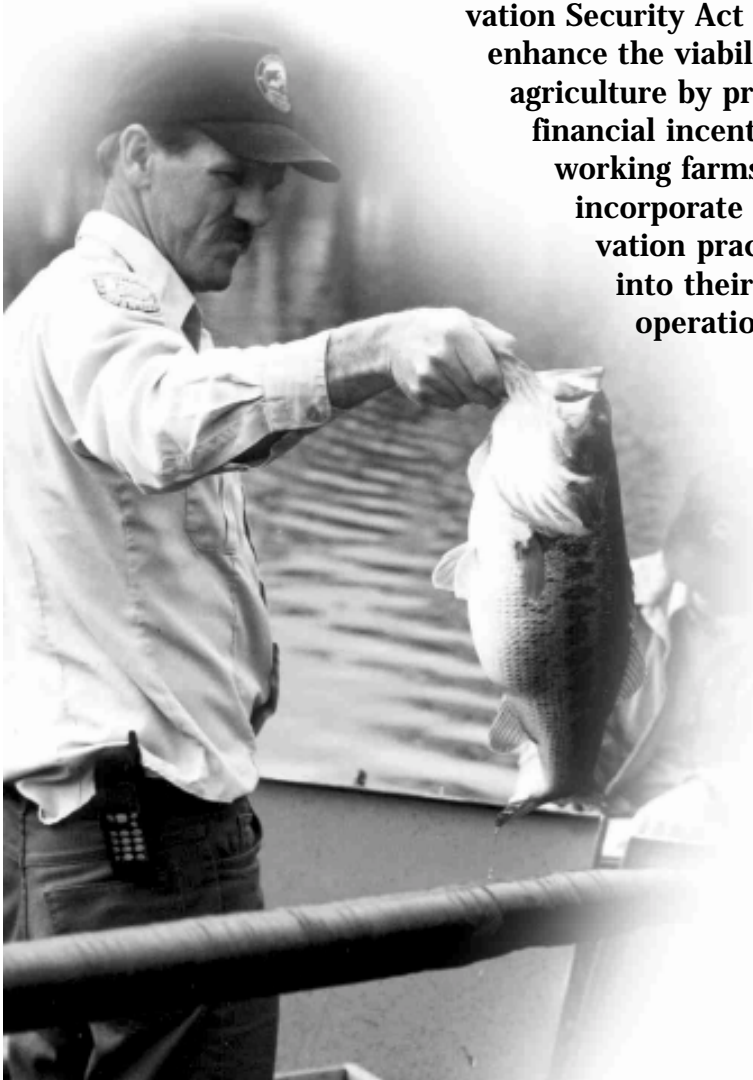
Options for Kentucky:

- Enhance existing efforts to prepare a statewide inventory of environmental, agricultural, forest, riparian, wildlife, ecological, geological, and biological resources and assets in Kentucky.
- Develop a statewide strategic plan to preserve and conserve the resources and assets identified and inventoried and provide incentives to counties to incorporate those environmental components into their comprehensive plans and development codes.



- Develop a ten-year plan for the acquisition and appropriate stewardship of land or interest in land. This plan must be the work of multiple agencies to ensure better coordination of efforts.
- Establish substantial, sustained, and dedicated state funding and tax incentives to protect and preserve these resources through acquisition, conservation easements, the purchase of development rights, leases, and land owner agreements. Such strategies must be consistent with the state strategic plan.
- Create state funding and tax incentives to secure development rights, conservation easements, or acquisition of lands for public purposes from willing sellers.

- Develop a Kentucky Conservation Security Act to enhance the viability of agriculture by providing financial incentives for working farms that incorporate conservation practices into their operations.



In Montana, a citizen commission oversees the acquisition of conservation easements from willing sellers under the Agricultural Heritage Program. Initially financed from the state general fund, the program also receives money from various federal, local, and private sources. To date, the easements have preserved nearly 10,000 acres of agricultural land.

Since 1994, the Great Outdoors Colorado program has invested more than \$200 million in projects to preserve nearly 100,000 acres of open space and wildlife habitat and to construct more than 300 miles of trails. The program receives funding from state lottery proceeds.

New Jersey approved a \$1 billion bond issue to establish a trust fund to preserve half of the state's two million acres of undeveloped land over the next ten years. Some \$98 million in sales tax receipts will be dedicated annually to the program for the next 30 years.

More people choose to visit Kentucky to see historic sites than for any other reason. More important, historic resources are a part of virtually every aspect of Kentucky's \$7 billion tourism industry. Two-thirds of all sites visited in Kentucky have historic significance; 50 percent of the state parks include historic buildings; 90 percent of bed and breakfasts are in historic buildings; and Kentucky's best-known attraction - the Kentucky Derby - is held at the legendary Churchill Downs, a National Historic Landmark.

Arkansas levies a real estate transfer tax to support its state heritage fund. Under the program, \$2.20 for every \$1,000 in real estate sold goes into a state fund for historic, natural, and cultural resources. The program has generated \$42 million since 1987; of that amount, slightly more than \$4 million has been dedicated to preservation projects.

- Enhance funding for the Heritage Land Conservation Fund and PACE, the Purchase of Agricultural Conservation Easements program. Include the protection of cultural and natural landscapes in addition to agricultural lands.
- Enhance and sustain the viability of agriculture and forestry through the development of land stewardship plans, value-added products, livestock marketing, and support for the development of alternative crops.
- Reactivate the Interagency Farmland Advisory Council to improve the collaborative efforts of state government on issues related to agriculture and farming.
- Direct state government agencies to review the impact of their capital projects and expenditures on natural and agricultural resources.



Goal: Establish Smart Growth policies and funding to preserve our historic buildings and sites

History is an essential part of Kentucky's cultural fabric, and many citizens, communities, and organizations dedicate their time and resources to preserving the structures and sites that encompass our past. Enhancing our ability to preserve our historic resources will require a comprehensive, organized approach that is supported by sufficient funding. In turn, rehabilitating and preserving historic structures results in economic development and enhanced quality of life.

Options for Kentucky:

- Prepare a statewide inventory of historical, archeological, and cultural resources and assets in Kentucky.
- Establish a dedicated source of funding for historic preservation and community development projects.
- Create a substantial transferable state tax credit for the residential or commercial rehabilitation of older and historic homes.
- Include language in state law to allow local governments to partner with property owners to rehabilitate and redevelop their property and to allow for profit sharing from the redevelopment.



Maryland's Heritage Preservation Tax Credit Program provides state income tax credits equal to 25 percent of the capital costs of rehabilitating a qualified structure. The program also allows property owners to transfer the credit to their mortgage companies in exchange for a reduced principal or interest rate. The lending institution may then use the credit to offset its own state income tax liability.



The Center for Understanding the Built Environment in Prairie Village, Kansas, has taught thousands of school teachers who in turn have helped hundreds of thousands of students to appreciate good design, preservation, and planning with a comprehensive program of courses, workshops, newsletters, and teaching guides.

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10,000 Friends of Pennsylvania is an alliance of organizations and individuals committed to promoting land use policies and actions that will enable the state to strengthen its diverse urban, suburban, and rural communities and reduce unplanned growth. Numerous other states have developed advocacy/public awareness organizations to encourage private-sector participation in land-use issues.

We must invite citizen and stakeholder participation.

The importance of citizen involvement and education at all levels cannot be overstated. The term Smart Growth, for example, is often perceived to have negative consequences, belying the fact that it is an economic strategy that encourages planned growth and supports economic development.

Kentuckians have a history of getting involved in issues that matter to them. As citizens learn more about Smart Growth, they will be encouraged to participate in the decisions that will be made by city and county leaders. And an involved citizenry will help local officials choose the best course for their communities.



Goal: Increase the public's awareness of Smart Growth

Smart Growth can mean different things to different people. Public awareness will help eliminate misconceptions and encourage more productive conversations about this important issue.

Options for Kentucky:

- Develop an extensive public education initiative on Smart Growth principles.
- Create a Smart Growth Committee based on the model of the Prichard Committee for Academic Excellence to advocate on behalf of Smart Growth principles and to ensure the participation of citizens.
- Encourage local communities to work with and develop nonprofit organizations as partners to create opportunities for greater civic involvement and more citizen participation in community development and growth management deliberations.
- Utilize the State Planning Office to provide a one-stop resource site and referral service to give communities, developers, engineers, policy makers, and citizens easier access to state assistance.

The Maine Smart Growth Institute provides skills and knowledge to a diverse audience of interests – local, regional, state, and federal officials; planners; designers; developers; realtors; bankers; members of conservation and environmental organizations; operators of natural resource based industries; and others.



As part of the task force process, the University of Kentucky Survey Research Center sampled 1260 Kentuckians, seeking their views on issues related to growth and development. Among the findings:

- 96.5% said it was somewhat or very important to improve and revitalize existing towns and neighborhoods.
- 95.1% said it was somewhat or very important to protect farmland and open space.
- 98.3% said it was somewhat or very important to protect private property rights.
- 80.8% said it was somewhat or very important to control sprawl.
- 96.6% said it was somewhat or very important to attract new jobs and businesses, and 98.2% said it was somewhat or very important to retain existing jobs and businesses.
- 88.8% said they were somewhat or very concerned about the effects of development on the state's farmland.
- 51.4% somewhat or strongly agreed that controlling growth and development would lead to higher housing costs, and 41.8% somewhat or strongly agreed that it would result in fewer choices on where to live.
- 89.1% somewhat or strongly support encouraging regional planning for growth and development.

Goal: Develop a Smart Growth education initiative

There are a number of elements that can be included in Smart Growth educational efforts. These cover all levels of formal schooling as well as professional development for individuals interested in improving their skills to enhance their participation in Smart Growth projects.

Options for Kentucky:

- Expedite the accreditation of the University of Louisville's planning program and encourage the development of undergraduate and graduate planning programs at other Kentucky colleges and universities.
- Use the resources of Kentucky's virtual university to provide immediate education and, ultimately, to offer an online degree in planning.
- Use intern programs through the state's universities to provide technical assistance to planning units in small or rural areas throughout the state.





- Develop and provide educational resources on Smart Growth, planning, community development, design, and growth management for K-12 students and for undergraduate and graduate programs. Integrate the concepts through civic class work, field trips, and internships.
- Establish a craftsman school in cooperation with the Kentucky Community and Technical College System to train and certify specialists skilled in the rehabilitation of historic buildings and structures.
- Fund and implement *Land, Legacy and Learning*, the state's strategic plan for improving environmental education.
- Improve funding for conservation education with a continuing and sustained emphasis on the value that these resources add to our quality of life and economy.

Additional information, including the full reports of the task force work groups, is available online at www.smartgrowth.state.ky.us.

Goal: Develop an extensive Smart Growth training initiative for planning and design professionals, engineers, planning commission members, and local officials

The need for education goes beyond the general public. Local officials, planning commission members, and professionals involved in design, rehabilitation, and development all would benefit from a coordinated presentation of information and training on Smart Growth principles and projects.

Options for Kentucky:

- Develop and coordinate comprehensive training for planning commissioners, elected officials, architects, developers, engineers, local government staff members, and community leaders. Support the development of educational resources and products, including training manuals and instructional video programs.
- Accelerate the implementation of House Bill 55 to provide comprehensive training to those involved in planning. Support existing training initiatives such as those provided by the Kentucky Association of Counties, the Kentucky League of Cities, Area Development Districts, and the Kentucky chapter of the American Planning Association.
- Revise state law to clarify the training requirements for planning consultants and local officials and their staffs who are engaged in planning activities.
- Create forums for planning commissioners where they can receive advice and develop a method by which they can share resources and provide technical assistance to each other.

